



City of Seattle

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**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3011010  
**Applicant Name:** Margaret Sprug, Miller Hull Architects for Point 32  
**Address of Proposal:** 1501 E. Madison Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 6-story, six-story 44,000 sq. ft. commercial office building.

The following Master Use Permit components are required:

**Design Review** – Seattle Municipal Code Section 23.41 with Development Standard Departures:

1. Structure Height (SMC 23.40.060.D.2f)
2. Loading Berths (SMC 23.40.060.D2g)
3. Structural Building Overhangs (SMC 23.53.035)

**SEPA Environmental Review** - Seattle Municipal Code Section 25.05

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

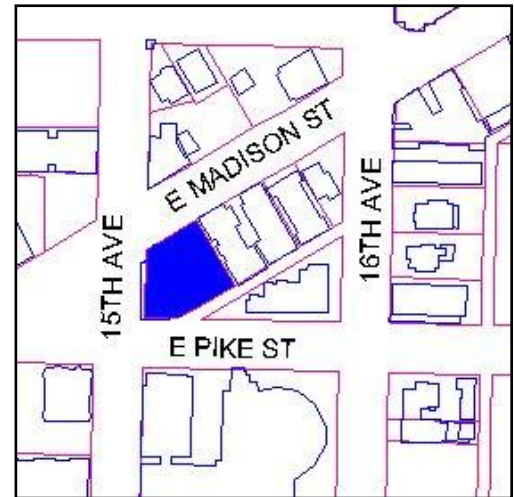
☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,  
or involving another agency with jurisdiction.

## **SITE AND VICINITY**

The site is located in the Capitol Hill neighborhood and lies within the Capitol Hill Urban Center Village at the intersection of 15th Avenue, East Madison Street and East Pike Street. The site slopes approximately nine feet upward to the east. The 10,000 square foot site includes one existing one-story commercial building and surface parking. Across 15<sup>th</sup> Avenue to the west, is a tree-lined triangular shaped block that contains a raised triangular shaped public park.

The site is zoned Neighborhood Commercial 3 (NC3-65). This same designation extends to the north, west and east of the subject site. Across the alley to the south, the zone changes to Lowrise 3 (L3). Well served by transit, the area comprises a mix of commercial and multi-family residential structures.



## **PROJECT DESCRIPTION**

The proposal is for a six-story 44,000 sq. ft. commercial office building. Access to the small garage is from the alley. Project is participating in the Living Building Challenge Demonstration Program.

## **PUBLIC COMMENTS**

On March 4, 2010 the applicant presented the project to the Living Building Technical Advisory Group (LBTAG) in an effort to receive feedback prior to the Early Design Guidance meeting. The LBTAG comments were provided to the applicant and the Design Review Board prior to the Early Design Guidance meeting and are available in the Master Use Permit project file at DPD.

Approximately 65 members of the public attended the Early Design Guidance meeting on March 17, 2010. The following comments were offered:

- Interested in the integration of solar modules and using those fabricated by local builders.
- Noted that the west facing windows of the adjacent building are functioning as the passive solar collectors for that building and that the proposed structure will block the solar access to this building.
- Concerned that future development to the south may impact the solar access of the subject site.
- Concerned that the proposed development does not address pedestrian safety, streetscape compatibility or respecting adjacent properties. The height of the proposed building is larger than what was proposed to the community group. Does not understand need for taller floor-to-floor ceiling heights. Feels terrace space should be decreased. The building and streetscape need to be addressed. The proposed stair feature does not need to extend into the right-of-way (ROW).
- Project should address the parking needs of the neighborhood. The proposed structure is out of proportion in the neighborhood and should be smaller.
- Felt this is an exciting project and the proposed uses would be a nice addition to the neighborhood. The appearance of the vertical solar panels needs careful consideration. Feels proposed building size should fit in within the neighborhood context. Would like to see more the historical character of the neighborhood integrated into or acknowledged by the design.

- Applauds the effort put into the proposed development thus far. Unable to delineate the proposed PV panel overhang in the ROW on the plans and would like to see this distinction more clearly. The entry points to the building are critical and should more clearly contribute to the streetscape.
- The Biophilia and Social Justice petals of the Living Building Challenge need to be further examined for the proposed project.
- Felt this is a fantastic project and would be a wonderful addition to neighborhood.
- Would like to see 15<sup>th</sup> Avenue closed off between the subject site and McGilvra Place.
- Would like the proposed structure to be lowered to allow more sunlight to the abutting building. Concerned about increased shading of nearby properties.
- Advised that the interior walls be soundproofed for the future tenants.
- Encouraged by the architectural statement of the building. Would like to see park more activated. Advocated that the alley to the south is charming and should be kept intact.

The applicant applied for a Master Use Permit on April 28, 2010. Notice of Application was published on May 6, 2010 and a 14-day comment period ended on May 19, 2010 and was extended by request to June 2, 2010. Several comments were received by DPD during this period.

- Request to be a Party of Record.
- Believe the proposed building is too large and are concerned about blocking of sunlight, shadows, lack of air circulation, loss of views, noise and parking impacts.
- Concerned that the abutting property values will decline as a result of the proposed project.
- Concerned with the lack of parking proposed.
- Property owners abutting the subject site to the north do not feel that the Code is being met, that the proposed departures are unwarranted, that the project is inconsistent with the Capitol Hill Neighborhood Design Guidelines and that the project will result in significant adverse impacts to parking, height, bulk and scale and construction. Subsequent correspondence reiterates objections to the proposed departures, the review process and proposes parking mitigation.
- Support for the project and the introduction of a Living Building to Seattle. Believe it will be an attractive and welcoming building to the neighborhood with visual connections to the interior, extensive landscaping and material palette. The building will also provide important educational opportunities to the public on the topics of renewably energy, urban ecology and environmental sustainability.
- Support for the project as a new precedent-setting model that will provide important lessons how to construct Living Buildings in urban environments.
- Support the emphasis of bicycle as a mode of transportation to and from the site. Encouraging alternate modes of transit in Seattle's urban areas is critical and is promoted by the proposed development.
- Project will be an asset to the community and will enhance the walkability and vibrancy of the streetscape.

Approximately 22 members of the public attended the Recommendation meeting held on November 17, 2010. The following comments were offered:

- Concern that rain sheeting from the PV array will hit pedestrians below.
- Clarification of the PV array dimensions. Concerned with the significant impact the size of the array will have in terms of the appearance of greater bulk. Suggests that the floor area is too ambitious for a living building at this location.
- Felt this was an informative and encouraging project. This is an unusual building that will encourage a flexible new approach to constructing buildings. Likes the grand entry and PV array as proposed.

- Believes this is an elegant project. Cautions against the potential aviary created under the PV array. Supports the concept of vacating 15<sup>th</sup> Ave. Concerned about parking in the neighborhood.
- The Integrated Design Lab supports the design and looks forward to occupying a portion of the building.
- The bulk and scale of the building is of concern to the neighbors to the east. The departures should only be granted if the building is better as a result. Board should deny the structural building overhang and height and parking departures. Cautions against a term permit allowing use of public land for private usage. Cites several design guidelines felt to have not been satisfied with the proposed design including human scale and height, bulk and scale. Need greater space between subject building and Madison Court, as well as better materials and modulation.
- Design needs to carefully consider height, bulk and scale impacts within the neighborhood context. Feels that the project is sacrificing the neighborhood to the detriment of the neighborhood.
- Enthusiastic about the scale, design language and complexity of the project.
- Satisfied with the height within this urban context and feels that the departures should relate to the sidewalk enhancement should be encouraged.
- Notes that this is a busy intersection and would support closing off 15<sup>th</sup> to vehicular traffic – this would be a neighborhood benefit.
- Supports attempt to be a car free building.

## **ANALYSIS - DESIGN REVIEW**

### **Design Guidance**

Three code-compliant schemes were presented at the Early Design Guidance meeting. The first half of the presentation focused on explaining the Living Building Challenge program and how the proposed development is anticipating meeting the goals of the Living Building Challenge and associated Living Building Ordinance (C.B. 116740) recently passed by City Council as a pilot program. The Living Building Challenge requires meeting 20 “*Imperatives*” with seven organizing “*Petals*”. The seven Petals are: responsible site selection, net zero water, net zero energy, health, materials, equity and beauty.

The second half of the presentation included an analysis of the neighborhood context, site, design considerations and conceptual design massing diagrams. The applicants presented three options for developing the property. The first alternative (Concept 1) showed a code-compliant building form situated directly at the property line without setbacks provided (none are required in the Neighborhood Commercial zone). This concept includes a central interior light well and the main pedestrian entrance off of 15<sup>th</sup> Avenue. The applicant noted that the proposed design was not feasible to meet the Living Building Challenge Energy Petal with this design.

The second alternative (Concept 2) included an enclosed central atrium opening to the 15<sup>th</sup> Avenue front, and a five-foot setback from the eastern property line with a ten-foot setback on a portion that includes glazing. The building core functions would be consolidated at the east side of the building. The PV canopy was shown at sufficient size to capture the needed area, but represented other limitations in reaching the Living Building Challenge.

The third and preferred alternative (Concept 3) included a terrace form where the base level is built out to the property lines and the upper levels are set back 15 feet on the north and south sides. This scheme included two main entrances: a triangular shaped entry plaza off 15<sup>th</sup> Avenue and an entry stair feature off of Madison Street. The stair is intended to be welcoming and gracious and encourage the use of stairs instead of the elevator. A vertical greenhouse is included in the southeast portion of the building and the photovoltaic (PV) panels are proposed to extend over the roof and run vertically down the south facade. At the southwest corner, decks are shown projecting over the ROW and under the PV overhang. Several departures from the Commercial Code and the Living Building Ordinance are requested as part of this scheme.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided siting and design guidance from the City of Seattle's Design Review: Guidelines for Multifamily and Commercial Buildings and the Capitol Hill Neighborhood Specific Guidelines of highest priority to this project.

At the Final Recommendation meeting, a revised and refined design was presented to the Board. The presentation focused on describing the design changes made in response to the Board's comments at the Early Design Guidance meeting, and reviewing the design in detail. Emphasis was given to the design changes to the south PV array, design of the Madison Street stair, ground floor level on all sides, 15th Avenue entry, east façade, proposed exterior materials, and the requested departures. The packet reviewed by the Board is found on-line.

## Site Planning

### **A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities.**

#### *Capitol Hill-specific supplemental guidance:*

- *Retain or increase the width of sidewalks.*
- *Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light, and year-round visual interest.*
- *Vehicle entrances to buildings should not dominate the streetscape.*
- *Orient townhouse structures to provide pedestrian entrances to the sidewalk.*
- *For buildings that span a block and "front" on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.*
- *New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.*

The Board expressed much interest in the relationship between the proposed development and the park across the street to the west. The Board agreed that the open space at ground level was preferable in Option 2 in terms of the relation to the park. The entry along 15<sup>th</sup> appears more welcoming due to the proximity to the park. Option 3 diffuses the energy of a single entry focal point with the proposal of two principal entries. See D-1. The Board noted that the design of each side of the building must respond to the unique characteristics of the context on each side.

At the Recommendation meeting, the Board was pleased with the landscape plan and how it tied the entry point along 15<sup>th</sup> Avenue to the sidewalk planting design. The proposal has a densely vegetated planting strip which contains a bio-swale providing an appropriate transition to the park across the street. See also A-10 and B-1.

**A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.

*Capitol Hill-specific supplemental guidance:*

- *Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street and displaying goods to the pedestrian.*
- *Provide for outdoor eating and drinking opportunities on the sidewalk by allowing for the opening the restaurant or café windows to the sidewalk and installing outdoor seating while maintaining pedestrian flow.*
- *Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.*

The Board agreed that the stair feature proposed along Madison Street will require very specific treatment in order to give it the prominence and use that is intended. At the next meeting, the Board would like to better understand what will make this stair element an exceptional design. If the stair is proposed to be cantilevered over the sidewalk, the design should be extraordinary; otherwise such a projection is not compelling.

The Board reminded that the building needs to contribute to pedestrian experience, while being a Living Building. As such, access to the commercial uses at the ground floor should be clear and promote interaction.

At the Recommendation meeting, the Board was pleased with the stair, which has been designed as a beacon that projects from the building as a vertical glassy box, clearly delineated from the rest of the building. The Board expressed its satisfaction with the significant amount of transparent glazing along the sidewalk.

**A-10 Corner Lots.** Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

*Capitol Hill-specific supplemental guidance:*

- *Incorporate residential entries and special landscaping into corner lots by setting the structure back from the property lines.*
- *Provide for a prominent retail corner entry.*

The Board will continue to be interested in the shadow impacts from the proposed massing on neighboring properties. The Board acknowledges that both the building corners located at intersection should be acutely addressed as both are important, but distinct edges.

At the Recommendation meeting, the Board was pleased with the interesting building form that responds uniquely to the various edge conditions. Shadows from the proposed building would be cast on the neighboring building to the east; however such shadows would be cast by any structure built to the underlying zone height.

## Height, Bulk & Scale

- B-1 Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.

*Capitol Hill-specific supplemental guidance:*

- *Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.*
- *Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.*
- *Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.*

The Board noted that the mass of the structure proposed under the preferred option should be located along Madison and relieve the massing to the south by shifting the bulk from the south side and opening up more of a form transition down to the Lowrise zone. The Board agreed that the options were fairly similar and should have shown more variety. The Board also agreed that the PV overhang and vertical PV wall shown in the preferred scheme raises critical issues with regard to blank walls, bulk and massing. The extension of the PV panels into the ROW creates a far larger sense of building mass that should strive to minimize its presence over the ROW and on the eastern side. The Board also noted the building mass should follow the setback pattern established along Madison.

**At the Recommendation meeting, the Board was pleased with the adjustments made to the PV array to create a less bulky appearance. These revisions include using bi-facial panels which have greater transparency and a longitudinal gap in the vertical array that allows light through the array to the building face. The Board discussed the east elevation and the relationship of the proposed structure with the existing structure to the east. The Board noted that both buildings are within the same zone, so the transition to a less intensive zone is less applicable. The Board also noted that any proposed non-living building could build to the zone maximum outright and would result in a taller structure than the existing building to the east. That said, the Board recommended that the design of the east façade include a finer grained texture in the materials and ensure translucency for the fenestration to provide privacy to the residential units to the east. The Board greatly appreciates the wrapping of the building in the same material palette and notes that it is both unusual and commendable to have all sides of a building treated equally with regard to materials to create a consistent, finished building on all facades. Furthermore, the materials are durable and of high quality.**

## Architectural Elements

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building.

***Capitol Hill-specific supplemental guidance:***

- ***Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.***
- ***Solid canopies or fabric awnings over the sidewalk are preferred.***
- ***Avoid using vinyl awnings that also serve as big, illuminated signs.***
- ***Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.***

The Board looks forward to seeing the details of how the PV panels fit together and how they will be integrated with the rest of the building design, particularly the underside of the PV and the vertical PV array on the south side. The Board agreed that the greenhouse feature is too tucked away in the southeast corner and should be more prominent.

The Board would like to have visibility of mechanical equipment included as part of the education experience of the Living Building.

The Board is interested in understanding what the building looks like at night.

**At the Recommendation meeting, the Board was satisfied with the change of the greenhouse to a sunroom. Given the change to a less visually significant use, the Board agreed that the location at the southeast corner was appropriate. The Board reviewed renderings and lighting diagrams to understand how the building would appear at night. The Board also reviewed renderings showing the underside of the PV array and how it would appear from the pedestrian perspective and agreed that it the changes to the vertical array made the structure lighter and less imposing over the sidewalk.**

**C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.**

***Capitol Hill-specific supplemental guidance:***

- ***Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building's architecture.***
- ***Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.***

The Board agreed that activation of both the Madison and 15<sup>th</sup> Avenue streetscape is desirable. The relationship of the commercial and retail spaces, as well as the entry points to the sidewalk are a critical consideration. The Board looks forward to seeing greater details of this relationship.

**At the Recommendation meeting, the Board discussed the façade scales and agreed that the north and south facades and upper level setbacks respond well to the neighborhood on either side. The Board noted that the Madison Street façade successfully transitions to the human scale at ground level. The Board recommended that this façade design should be slightly simplified with a railing design that is less busy and distracting from the rest of the architecture.**



The Board discussed the west façade, along 15<sup>th</sup> Avenue, as a taller seeming volume without breaks in the elevation aside from the entry point at the ground level. The Board recommended that the 15<sup>th</sup> Avenue entrance be enhanced with humanizing and personalizing features to create more of a sense of arrival at a civic building. The Board encouraged that this approach extends into the right-of-way plan and create connections to the park and history of the site (as well as potential future closure of 15<sup>th</sup> Avenue as a *festival street*).

The Board also discussed how the west elevation does not clearly announce itself as a civic building in terms of how the materials and fenestration are articulated. Specifically, the Board noted that the white horizontal band on the west elevation should be further explored and possibly eliminated in the effort to design a more civic elevation.

The Board also recommended that the 15<sup>th</sup> Avenue fenestration design be modified to vary the spacing between the mullions and increase the panel size at the base. This would allow the materials and colors to remain consistent throughout the building, but work with the sizing and spacing of windows to both elaborate the base and sense of arrival at the entry point.

The Board noted that other details of the 15<sup>th</sup> Avenue elevation, such as texture and sheen of the materials, signage, seating areas, bicycle racks and overhead weather protection should be explored to encourage both the civic quality of the entire façade and create a more human scaled and gracious entry.

**C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Capitol Hill-specific supplemental guidance:

- Use wood shingles or board and batten siding on residential structures.
- Avoid wood or metal siding materials on commercial structures.
- Provide operable windows, especially on storefronts.
- Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.
- Consider each building as a high-quality, long term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.
- The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.

The Board strongly agreed that much more detail regarding the vertical PV array is necessary. What this array looks like to neighbors and pedestrians is crucial. The design of this array should be mindful of glare and blank wall effects. The Board noted a concern for the portion of the array that projects over the sidewalk and agreed that this feature should feel light and elegant, not heavy and oppressive. The Board was also concerned that the proposed deck projection at the southwest corner was a dominating feature over the public space and did not see either a design or Living Building Challenge imperative for such a projection. The Board wants to see further exploration of the PV arrays that will result in a less dominating element.

At the Recommendation meeting, the Board was very pleased with the proposed material palettes which included anodized aluminum plate siding, curtain wall and blinds with exposed structural steel painted white. The PV array has been revised to be bifacial which allows clear area for light

transmittance through the panels. The heavy timber construction will be left exposed in the building interior and will be visible through the transparent windows. The ground level is a transparent storefront window system. The Board agreed that the materials should be kept clean and simple and maintain transparency to allow the interior details to be visible, as proposed.

## **Pedestrian Environment**

**D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building entry should be provided. To ensure comfort and security, entry areas should be sufficiently lighted and entry areas should be protected from weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

**Capitol Hill-specific supplemental guidance:**

- **Provide entryways that link the building to the surrounding landscape.**
- **Create open spaces at street level that link to the open space of the sidewalk.**
- **Building entrances should emphasize pedestrian ingress and egress as opposed to accommodating vehicles.**
- **Minimize the number of residential entrances on commercial streets where non-residential uses are required. Where residential entries and lobbies on commercial streets are unavoidable, minimize their impact to the retail vitality commercial streetscape.**

The Board expressed concern that the pedestrian environment appeared too oppressive and need to be further integrated into the ground floor of the building, and include wider sidewalks (greater than ten feet) and planting strips. The Board feels that two main entries into the building proposed under the preferred option are less desirable than one main entry; therefore, the Board wants the design to create a strong entry feature at both locations. The architecture of the building should encourage interaction between the pedestrian and the ground floor uses with operable windows, views to and from the sidewalk and the interior uses and other pedestrian design features. The Board also indicated strong support for a crosswalk to be located at the corner of 15<sup>th</sup> Avenue and extend across Madison Street.

The Board encouraged the location of the entry area on 15<sup>th</sup> Avenue to maximize the spatial and visual relationship with McGilvra Place. The Board was less enthusiastic about and questioned the proposed secondary entrance off Madison Street. This secondary entry would require a dimensional departure to have the stair overhang the sidewalk above the first floor. These concerns were alleviated by the explanation that the need to discourage energy usage of the elevator favored a grand entry stair location at the highest point of the site off Madison Street. The stair design would also include interactive graphics or other informational displays regarding energy usage at the building.

The Board also encouraged the design to acknowledge the history of the site and neighborhood by incorporating reference(s) into the architecture, pedestrian environment, landscape design and/or educational information provided within the building.

**At the Recommendation meeting, the Board recommended that the PV vertical array above the sidewalk on the south side include a system to collect water in on order to minimize rain sheeting on pedestrians below. The Board was satisfied with the two proposed entry points and felt the design responded to their earlier concerns that two strong entry designs were needed. The Board**

expressed support for the large transparent windows with views to the interior which will include information and visual access to living building systems and building features, as well as the proposed education information planned for the 15<sup>th</sup> Avenue entry lobby area.

**D-2 Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

The Board raised concerns that the PV array that extends over the building and then downwards (the “mud flap”) along the southern vertical elevation must be eliminated or at least reduced in scale to alleviate the sense of a looming, blank wall.

See B-1.

At the Recommendation meeting, the Board was very pleased with the revision to the vertical array to now include a vertical slot that also serves as the terminus of the maintenance cat walk. The Board felt that this update, along with the change to bifacial panels that allow greater light and views through the panels, has created an elegant solution to a necessary part of the Living Building Challenge. The Board also supported the accent color of the catwalk terminus.

**D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Capitol Hill-specific supplemental guidance:

- **Consider:**
  - pedestrian-scale lighting, but prevent light spillover onto adjacent properties
  - architectural lighting to complement the architecture of the structure
  - transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach
- **Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.**

**D-8 Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.

The Board supported the intent to preserve the existing alley paving materials and looks forward to seeing how the design integrates the new development with this old, brick alley.

At the Recommendation meeting, the Board recommended preservation of the alley materials.

## Landscaping

**E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, special consideration should be given to abutting streetscape and neighboring properties.

The Board discussed at length and encouraged the possibility of relating the building design, if not actual function, to the park across the street to the west.

The Board was pleased with the proposed landscape plan shown at the Recommendation meeting. The Board also supported improved connections to the McGilvra open space across 15th. The Board further noted that encroachments into the right-of-way seemed appropriate due to the LBC, and that they contributed to the building design. See A-1.

**E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

The Board is concerned that there is minimal outdoor space proposed for building tenants. Such spaces should be located away from Madison, the busiest, noisiest side of the site with the least solar access. The Board was not supportive of the proposed deck at the southwest corner.

The Board was concerned with the proposed location of the greenhouse feature. Such a program should seek to engage the public and be treated as a visual amenity to the pedestrian. The Board suggested shifting the greenhouse to a more visible, prominent location where it can be better appreciated or show how this feature would have prominence at the current location.

The final design presented to the Board included a green roof in the set back portion of the building along the north edge, altered paving patterns and inset LED lights along the sidewalks, street trees and plantings in the right-of-way.

**E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

**Capitol Hill-specific supplemental guidance:**

- **Maintain or enhance the character and aesthetic qualities of neighborhood development to provide for consistent streetscape character along a corridor.**
- **Supplement and complement existing mature street trees where feasible.**
- **Incorporate street trees in both commercial and residential environments in addition to trees onsite.**
- **Commercial landscape treatments that include street trees.**

The Board is concerned about the relationship to the residential building to the east and would like to see plans to create an attractive buffer between the two structures. This buffer should consider views to and from the abutting buildings to maintain privacy, daylight, landscaping, form and materials. See also, B-1, C-4, D-2 and D-7.

**At the Recommendation meeting, the Board was pleased that the east elevation included fritted glass to protect privacy of the residential units to the east that would face the proposed building. Planters are provided at the lower level to create some green buffer area between the properties. See also B-1.**

**DEVELOPMENT STANDARD DEPARTURES**

Several departures from the development standards were proposed at this time. The Board's recommendation on the requested departures is based upon the departure's potential to help the project better meet the Living Building Challenge objectives, these design guideline priorities and achieve a better overall design than could be achieved without the departure.

### **Living Building Departures:**

#### **1. STRUCTURE HEIGHT (SMC 23.40.060.D.2f).**

A height departure is sought for up to 10 additional feet above the base height of the commercial zone (65'). The additional floor-to-floor height is desired to meet the day lighting requirements for the Living Building Challenge (LBC). Further analysis must occur regarding access to the roof by the Fire Department, and it needs to be determined whether providing an access element to the roof would require a departure.

This departure would allow the upper floors to have a 13'6" floor-to-floor height instead of the more typical 11'6" in order to meet day lighting requirements. A height departure is required as a result of the additional 2 feet on each floor and the additional height significantly improves the penetration of daylight. The skylights and PV array are necessary to meet LBC energy standards. The Board was also pleased with how the design of the PV vertical array was addressed in response to the EDG. The Board found that the height departures were essential for the building to meet LBC standards and does not conflict with the design guidelines; the criteria for departure approval were met, and the Board unanimously supported the structure building height departure. (B-1)

#### **2. LOADING BERTHS (SMC 23.40.060.D2g).**

One loading berth is required for office space of more than 40,000 sq. ft. The project square footage is slightly over that threshold. The proposed building would not contain a loading berth meeting the required dimensions.

Approximately 36,000 sq. ft. in the building will actually be usable office space given the systems needed for living buildings, and as such would put it under the threshold for the loading berth standard. Furthermore, the Board noted that vans would fit within the on-site loading area in the garage and loading from larger vehicles will be a more infrequent occurrence. The Board supported the departure because a requirement to include a loading berth would lower floor-to-floor heights on each floor and compromise day-lighting levels and the ability to meet the LBC. Additionally, the Board found that the proposed departure would not conflict with the design guidelines and unanimously supported the departure. However, the Board recommended that as part of SEPA review, a condition be required for a loading plan to address over-height (over nine feet) vehicles that do not fit in the garage. This plan should control access and include community outreach. The Board was also supportive of establishing a loading zone on the street.

### **Commercial Code Departures:**

#### **3. STRUCTURAL BUILDING OVERHANGS (SMC 23.53.035).**

A departure is requested from the dimensional standards for structural building overhangs for the stair on East Madison. Please see page 40 of the Design Review packet for details of the proposed and required dimensions.

The East Madison stair is designed as a prominent architectural feature that enhances the Madison entrance. The Board appreciated the design of the stair and found it a critical feature of the design and the building's presence along Madison. Thus, the Board unanimously supported the structural building overhang departure for the stair.

#### **4. STRUCTURAL BUILDING OVERHANGS (SMC 23.53.035).**

A departure is requested from the maintenance walk under the south PV array. Please see page 40 of the Design Review packet for details of the proposed and required dimensions.

The maintenance walk is a part of the south PV array, and may not need a Code departure if it is treated as an integral part of the array, rather than the building. However, in the event that the maintenance walk is found to need a Code departure, the Board found that the criteria for departure approval were met and unanimously supported the departure, noting that the walk is narrow, of grated material, and a simple design. (D-1)

*The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:*

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site;*  
*or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

#### **ANALYSIS & DECISION – DESIGN REVIEW**

##### Director's Analysis

Four members of the Capitol/First Hill/Central Area Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the following conditions recommended by the Board that further augment the selected Guidelines:

1. The design of the east façade should be revised to include a finer grained texture in the materials and ensure translucency for the fenestration to provide privacy to the residential units to the east
2. The north façade design should be slightly simplified with a railing design that is less busy and distracting from the rest of the architecture.
3. The south PV vertical array above the sidewalk on the south side should include a system to collect water in on order to minimize rain sheeting on pedestrians below.
4. The details of the 15<sup>th</sup> Avenue elevation, such as texture and sheen of the materials, signage, seating areas, bicycle racks and overhead weather protection should be further explored to encourage both the civic quality of the entire façade, while also creating a more human scaled and gracious entry. Specifically, the white horizontal band on the west elevation should be further explored and possibly eliminated in the effort to design a more civic elevation.

5. The 15<sup>th</sup> Avenue entrance should be enhanced with humanizing and personalizing features to create more of a sense of arrival at a civic building. The Board encouraged that this approach extends into the right-of-way plan and create connections to the park and history of the site (as well as potential future closure of 15<sup>th</sup> Avenue as a *festival street*).
6. The 15<sup>th</sup> Avenue fenestration design should be modified to vary the spacing between the mullions and increase the panel size at the base.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

#### **Director's Decision**

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the aforementioned conditions summarized at the end of this Decision.

#### **ANALYSIS - SEPA**

The proposal is for a 44,000 square feet of commercial space, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and an urban center and exceeds the 12,000 square foot threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 15, 2010 and updated in December 2010 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in some adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

### Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 4,500 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.



Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

#### Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

#### Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 4,500 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

#### Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures. Because the alley provides access to several residences, any alley closures shall not prevent access to garages by residents during the duration of construction; this shall be included in the Construction Management Plan.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

#### Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

#### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Long-Term Impacts

Long-term or use-related impacts associated with approval of this proposal include storm water and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, due to the type, size and location of the proposed project, additional analysis of drainage, height, bulk, and scale; traffic and circulation; parking; and greenhouse gas emissions is warranted pursuant to SEPA policies.

### Drainage

The Stormwater, Grading and Drainage Control Code which requires on-site detention of storm water with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding. Although existing Codes are adequate, it is likely that the project will be seeking deviations to the Stormwater and Sidesewer Codes due to the unique nature of this Living Building proposal. These requests will be reviewed as part of the on-going drainage system of building operations resulting in potentially less stormwater sent to the public stormwater system than allowable by the Stormwater and Side Sewer Codes.

### Height, Bulk & Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

*"... the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies....for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."*

In addition, the Policy states that:

*"A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."*

Zoning of the subject property is NC3-65. The NC3 zone is developed with a mix of structure sizes and heights with a variety of commercial and residential uses which encourage a pedestrian-oriented neighborhood. Site development will proceed according to the Land Use Code standards for the underlying zone, apart from the design departures recommended by the Design Review Board, one of which includes a ten foot building height increase allowed through the Living Building Ordinance to encourage and accommodate sustainable building construction and the provision of solar panels on the rooftop. The increment of ten feet over the allowable height of the underlying zone does not result in greater impacts than would be allowed by a building constructed to meet the standards of the underlying NC3-65 zone. Therefore, the development as a whole will be in keeping with the scale of development

anticipated in the area. The discussion above indicates that there are no significant height, bulk and scale impacts as contemplated in the SEPA policy. In addition, the Design Review Board has approved this project and no evidence was presented suggesting that the height, bulk and scale impacts associated with the proposal were inadequately mitigated by the Design Review process. Therefore, no additional mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy.

### *Traffic and Transportation*

A Transportation Analysis for the proposed project was prepared by Heffron Transportation Inc, dated October 1, 2010. The report compares the existing trip generation with an estimate of the total amount of new trips to be generated by this project. According to the memo, the existing use generated approximately 160 daily trips to the site and 16 of those estimated trips occur during the PM peak hours. The daily number of trips to the site for the proposed development is 120 trips, with 16 of those estimated trips in the AM peak hour and 15 in the PM peak hour. The net new impact to the surrounding street system is estimated to be 40 less daily trips, with 16 new trips during the AM peak hour and one less trip during the PM peak hour. Daily and peak hour trips associated with the proposed use could be slightly higher than described due to seminar attendees driving to and from the site. However, the relatively small changes in vehicle trips associated with the project are not expected to adversely impact any of the roads or intersections in the site vicinity.

The trip generation estimates were based on mode split estimates that rely on a Transportation Management Program (TMP) to achieve low automobile usage; this program is described in the Parking Section, below. Other than the TMP, no mitigation of transportation impacts is required pursuant to SMC 25.05.675 R.

### *Parking*

The Transportation Analysis also discussed project parking demand. The proposed development is located in the Capitol Hill Urban Center where parking is not required per SMC 23.54.015B2.

Parking generation rates associated with office use from the Institute of Transportation Engineers (ITE) Parking Generation Manual (3<sup>rd</sup> Edition) and the Urban Land Institute's Shared Parking were used to estimate the project's parking demand. According to ITE, the project would generate a peak parking demand of 26 vehicles on weekdays during the mid-afternoon. Since no parking is being provided on site, all parking demand would need to occur off-site. An on-street parking utilization study was completed that showed that unrestricted parking stall utilization is over 100% and restricted parking stall spaces are utilized at 68% at 10:00 AM and 70% at 3:00 PM. Given that the unrestricted on-street parking is over capacity, additional parking demand associated with the project represents a noticeable impact, pursuant to SMC 25.05.675 M. In order to find long-term parking, employees would need to use pay parking lots in the vicinity of the project. A parking utilization study of the off-street pay-parking lots within a block of the subject site showed that there is an ample supply (38% utilization) of pay-parking available.

To reduce the on-street parking impact that would occur with the project, a Transportation Management Plan (TMP) will be required. The TMP will have a single occupancy vehicle (SOV) goal of not more than 25% of the trips for all site employees. A draft TMP (dated October 1, 2010) has been developed for this building. Elements of this draft TMP include building features such as substantial on-site bicycle parking, on site shower and locker facilities

and a Commuter Information Center in the building lobby. Programmatic, on-going features of the TMP will include a commuter information packet with information about transportation options, a minimum of 50% subsidy for ORCA passes for employees who commute by transit and subsidies for employees who bike or walk to work. These elements will be included in the final TMP developed for the project; proposed elements may be modified and additional elements may be added following review by City of Seattle staff. Such additions or modifications might include, but are not limited to, a greater subsidization of ORCA passes and a restriction on employees of certain building tenants driving a car to work. This TMP is anticipated to provide adequate mitigation for the identified parking impacts, pursuant to SMC 25.05.675 M.

#### Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

#### **DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

#### **RECOMMENDED CONDITIONS – SEPA**

##### Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures. Because the alley provides access to several residences, any alley closures shall not prevent access to garages by residents during the duration of construction; this shall be included in the Construction Management Plan.

##### Prior to Issuance of Building Permit

2. A Transportation Management Program (TMP) shall be prepared and submitted to DPD. It shall be consistent with Director's Rule 19-2008. The goal for this TMP will be a maximum SOV rate of 25 percent for all site employees. The elements of the October 1, 2010 draft TMP will be included in the final TMP developed for the project; proposed

elements may be modified and additional elements may be added following review by City of Seattle staff. Such additions or modifications might include, but are not limited to, a greater subsidization of ORCA passes and a restriction on employees of certain building tenants driving a car to work.

#### During Construction

3. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.
4. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

#### For the Life of the Project

5. Maintain TMP goal of 25 percent maximum SOV rate for all site employees.

### **DESIGN REVIEW**

#### Prior to Building Permit Issuance

6. The design of the east façade should be revised to include a finer grained texture in the materials and ensure translucency for the fenestration to provide privacy to the residential units to the east.
7. The north façade design should be slightly simplified with a railing design that is less busy and distracting from the rest of the architecture.
8. The south PV vertical array above the sidewalk on the south side should include a system to collect water in on order to minimize rain sheeting on pedestrians below.
9. The details of the 15<sup>th</sup> Avenue elevation, such as texture and sheen of the materials, signage, seating areas, bicycle racks and overhead weather protection should be further explored to encourage both the civic quality of the entire façade, while also creating a more human scaled and gracious entry. Specifically, the white horizontal band on the west elevation should be further explored and possibly eliminated in the effort to design a more civic elevation.
10. The 15<sup>th</sup> Avenue entrance should be enhanced with humanizing and personalizing features to create more of a sense of arrival at a civic building. The Board encouraged that this approach extends into the right-of-way plan and create connections to the park and history of the site (as well as potential future closure of 15<sup>th</sup> Avenue as a *festival street*).

11. The 15<sup>th</sup> Avenue fenestration design should be modified to vary the spacing between the mullions and increase the panel size at the base.

## CONDITIONS-DESIGN REVIEW

Prior to Issuance of any Certificate of Occupancy

12. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as those documented in the approved plans dated October 12, 2010.

Signature: (signature on file)  
 Lisa Rutzick, Senior Land Use Planner  
 Department of Planning and Development

Date: December 30, 2010